

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

LEAGUE OF WOMEN VOTERS OF  
MICHIGAN, ROGER J. BRDAK,  
FREDERICK C. DURHAL, JR., JACK  
E. ELLIS, DONNA E. FARRIS, WILLIAM  
“BILL” J. GRASHA, ROSA L. HOLLIDAY,  
DIANA L. KETOLA, JON “JACK” G.  
LASALLE, RICHARD “DICK” W. LONG,  
LORENZO RIVERA and RASHIDA  
H. TLAIB,

Case No. 17-cv-14148

Hon. Eric L. Clay  
Hon. Denise Page Hood  
Hon. Gordon J. Quist

Plaintiffs,

v.

RUTH JOHNSON, in her official capacity  
as Michigan Secretary of State,

Defendant.

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**DEFENDANT’S UNOPPOSED APPLICATION TO  
FILE A REPLY BRIEF EXCEEDING 7 PAGES**

Defendant, Ruth Johnson, by and through her attorneys, hereby applies pursuant to Local Rule 7.1(d)(3)(A) for leave to file a reply brief in excess of 7 but no longer than 14 pages. In support, Defendant states as follows:

1. On January 23, 2018, Defendant filed a Motion to Stay and Motion to Dismiss for Lack of Standing, combining its brief in support of both motions into a single, 25-page filing (Dkt. No. 11).

2. On or about February 4, 2018, Plaintiffs, League of Women Voters *et al.*, requested Defendant's consent to Plaintiffs' filing a response brief in excess of the 25 page limit specified by L.R. 7.1(d)(3)(A). Defendant's counsel freely gave consent to same.

3. On February 5, 2018, Plaintiffs filed an unopposed Application to file Brief Exceeding 25 Pages (Dkt. No. 13), explaining that, consistent with Defendant's presentation and for the sake of expediency and efficiency, Plaintiffs intended to file a combined response to both motions by February 6, and requesting leave to file a brief not exceeding 40 pages. This Court granted that request. (Dkt. No. 17.)

4. On February 6, 2018, Plaintiffs filed a 36-page response brief. (Dkt. No. 15.)

5. On February 7, 2018, this Court entered a scheduling order (Dkt. No. 16), requiring Defendant to file a reply brief by no later than February 20, 2018.

6. Local Rule 7.1(d)(3)(B) permits reply briefs up to 7 pages in length. Had Defendant filed separate reply briefs addressed to each of the two motions, those two briefs in combination would have afforded Defendant 14 pages.

7. Consistent with the common presentation of Defendant's original brief and Plaintiffs' response brief, Defendant intends to file by February 20, 2018 a single

reply brief addressing Plaintiff's combined response to the non-dispositive motion to stay and to the dispositive motion to dismiss.

8. As with Plaintiffs relative to their Response, Defendant anticipates she will require additional space to fully reply to the issues raised. Defendant's request is justified by the importance of the issues in the matter.

9. Defendant thus seeks leave to file a combined reply brief to Plaintiffs' combined response brief that exceeds the 7-page limit. Specifically, Defendant seeks leave to file a reply brief that is no more than 14 pages long.

10. Defendant requested, and Plaintiffs' counsel gave, consent to Defendant's application. See L.R. 7.1(a).

WHEREFORE, Defendant respectfully requests leave to file a reply brief to Plaintiffs' combined response that is in excess of 7 pages but not to exceed 14 pages.

Respectfully submitted,

DICKINSON WRIGHT PLLC

/s/ Ryan M. Shannon

Ryan M. Shannon  
Attorneys for Defendant

Dated: February 13, 2018

### **Certificate of Service**

I hereby certify that on February 13, 2018, I caused to have electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record in this matter.

Respectfully submitted,

/s/ Ryan M. Shannon

Dated: February 13, 2018

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